



January 31, 2019

Via email: [hq.foia@epa.gov](mailto:hq.foia@epa.gov)

Timothy Epp  
Acting Director  
National Freedom of Information Office  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

**Re: FOIA Request EPA-HQ-2019-002349**

Dear Mr. Epp:

On December 20, 2018, ALERT, a project of the Earth Island Institute, submitted Freedom of Information Act (FOIA) request EPA-HQ-2019-002349 pursuant to 5 U.S.C. § 552 and relevant U.S. Environmental Protection Agency (EPA) regulations. ALERT submitted the request via FOIAonline.gov and received a submission confirmation on December 20, 2018. On December 27, 2018, EPA granted ALERT's fee waiver request.

FOIA requires EPA to notify ALERT, within twenty business days, whether and to what extent the agency will comply with the request. 5 U.S.C. § 552(a)(6)(A)(i). Under FOIA, EPA must notify ALERT if it requires a ten-day extension of the statutory deadline to respond. 5 U.S.C. § 552(a)(6)(B)(i). EPA's deadline to respond to ALERT's FOIA request was January 22, 2019. EPA did not request a ten-day extension of the statutory deadline. To date, ALERT has not received a response to its FOIA request.

This letter serves as official notice that EPA has failed to respond by the statutory deadline and is now in violation of its duties under FOIA. ALERT respectfully asks EPA to conform to its statutory duties under FOIA or face legal action.

Thank you for your prompt attention to this matter. If you have any questions or need further information, please do not hesitate to contact me at (510) 859-9120 or [sumona@earthisland.org](mailto:sumona@earthisland.org).

Sincerely,

Sumona Majumdar  
General Counsel

